

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KATHALEEN BURNETT,

Plaintiff,

vs.

**NAGL MANUFACTURING, RICHARD
KEETEN, NORMAN FREDERICKSON
and JUNE JONES**

Defendants.

8:05cv109

MEMORANDUM AND ORDER

This matter is before the court on plaintiff's Motion to order defendant to show plaintiff her application (Filing No. 85), plaintiff's Motion to order defendant to show plaintiff the termination form (Filing No. 86), plaintiff's Motion for extension of deposition deadline (Filing no. 89), and defendant's Motion to strike plaintiff's motions (Filing No. 88).

In plaintiff's filings no. 85 and 86 she requests that this court order defendant to produce documents. In defendant's response, defendant requests that plaintiff's motions be stricken from the record insofar as they seek to circumvent the discovery provisions of the Rules of Federal Procedure.

Federal Rule of Civil Procedure Rule 34 allows plaintiff to request that a party produce and permit the plaintiff to inspect a copy of documents after the requesting party has given every other party to the action reasonable notice in writing. The party upon whom the request is served is then given 30 days after service of the request to respond in writing. If the defendant fails to respond to a request for production of documents the plaintiff can then move this court to compel the defendant to cooperate.

Usually, the opposing parties to a lawsuit attempt to obtain documents through the normal course of discovery before involving the court.

The defendant has filed a response to plaintiff's motion to extend the deadline for defendant's deposition and states it does not oppose the enlargement of time up to February 10, 2006. The court will grant plaintiff's request for an extension of time to take defendant's deposition and extend the deadline until February 17, 2006. Accordingly, the court will extend the deadline for dispositive motions until March 3, 2006.

THEREFORE IT IS ORDERED:

1. Plaintiff's Motion to order defendant to show plaintiff her application (Filing No. 85), and plaintiff's Motion to order defendant to show plaintiff the termination form (Filing No. 86) are denied.
2. Plaintiff's motion for enlargement of time (Filing No. 89) is granted.
3. Defendant's motion to strike Filings No. 85 and 86 (Filing No. 88) is denied as moot.
4. The deposition deadline in the pre-trial order is extended until February 17, 2006.
5. The deadline for summary judgment motions is extended until March 3, 2006.

DATED this 30th day of January, 2006.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge